

AO 91 (Rev. 08/09) Criminal Complaint

AUSA: Sara D. Woodward  
Special Agent : Amy MentzelTelephone: 313-226-9180  
Telephone: 313-965-2323

# UNITED STATES DISTRICT COURT

for the  
Eastern District of Michigan

United States of America,

Plaintiff,

v.

DEVIN EDWARD SMITH,

Case:2:14-mj-30161

Judge: Unassigned,

Filed: 04-08-2014 At 04:55 PM

RE: DEVIN EDWARD SMITH (EOB)

Defendant(s).

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about the date(s) of October 29, 2013 to April 6, 2014, in the county of Oakland and Wayne  
in the Eastern District of Michigan, the defendant(s) violated:*Code Section*

18 U.S.C. 1591

*Offense Description*

Sex trafficking by force, fraud, or coercion

This criminal complaint is based on these facts:

See affidavit.

FILED  
APR 08 2014  
CLERK'S OFFICE  
DETROIT

☐ Continued on the attached sheet.\_\_\_\_\_  
*Complainant's signature*

Special Agent Amy Mentzel, FBI

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: April 8, 2014  
5:10 p.m.\_\_\_\_\_  
*Judge's signature*City and state: Detroit, MichiganU.S. Magistrate Mona K. Maizoub\_\_\_\_\_  
*Printed name and title*

**AFFIDAVIT FOR CRIMINAL COMPLAINT**

I, Amy L. Mentzel, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Detroit Division, being duly sworn, hereby depose and state as follows:

**I. INTRODUCTION**

1. I have been employed as a Special Agent of the Federal Bureau of Investigation for the past seven years and investigate crimes involving violations of Federal Statutes. I am also assigned to the Southeastern Michigan Crimes Against Children Task Force (SEMCAC), which includes the investigation of sex trafficking of minors and adults. I have gained experience through training at the FBI Academy, post Academy training, and everyday work related to conducting these types of investigations. I have been conducting sex trafficking investigations for the past five years. I have interviewed hundreds of victims of sex trafficking.

2. The information set forth in this affidavit is based upon my own investigation and my knowledge, training, and experience in sex trafficking. It is also based on information conveyed to me by others, whom I believe to be reliable, and the experience and training of other law enforcement officers with whom I have had discussions. Because this Affidavit is being submitted for the limited purpose of obtaining a criminal complaint, I have not included every fact known to me concerning this investigation.

3. I have set forth only those facts that I believe are necessary to establish probable cause to believe that, DEVIN EDWARD SMITH violated Title 18, United States Code, Sections 1591 (sex trafficking by force, fraud, or coercion).

## **II. BACKGROUND OF THE INVESTIGATION**

### **October 29, 2013, Livonia Police Department**

4. On October 29, 2013, a female (hereinafter "H.E."), contacted the Livonia Police Department via 911 and stated that she was hiding from two men who had just assaulted her. Officers responded and found H.E. hiding in a dumpster near the America's Best Value Inn in Livonia, Michigan.

5. H.E. was interviewed by officers, and stated that she had been staying in room 138 at the America's Best Value Inn, and that she had been prostituted by two men, and that she had been held against her will and assaulted. While talking to officers, H.E. pointed out a tan van in the parking lot of the hotel and stated that it belonged to the two men who had assaulted her.

6. An officer approached the van and located two individuals. One individual was Derwin Smith, and the other identified himself as Deone Smith, but when his fingerprints were checked it was determined that his real name was DEVIN EDWARD SMITH, with a date of birth of xx/xx/1985.

7. H.E. was further interviewed and stated that she knew DEVIN SMITH as "Ted." H.E. stated that she had worked as a prostitute for DEVIN SMITH intermittently since July 2011. H.E. stated that she was addicted to crack cocaine and was not aware of what she had gotten into when she began prostituting for SMITH.

8. H.E. stated that DEVIN SMITH has assaulted her several times in the past for attempting to leave, and when she did not want to do something DEVIN SMITH wanted. H.E. stated that on October 10, 2013, H.E. was supposed to meet DEVIN SMITH to return a cell phone to him. DEVIN SMITH approached H.E. in Jackson, Michigan, with several other individuals in the car and said, "get in bitch." H.E. thought SMITH may have had a gun as she had known him to carry one in the past. Since October 10, 2013, H.E. was forced against her will to work as a prostitute for DEVIN SMITH and his brother, Derwin Smith. H.E. knew Derwin Smith as "C-low." SMITH and Derwin Smith forced H.E. to create prostitution advertisements on the website, Backpage, answer customer phone calls, and engage in prostitution dates. H.E. did what DEVIN SMITH told her to do because H.E. was very fearful of DEVIN SMITH, and he had physically assaulted her. H.E. stated that DEVIN SMITH kept her shoes and her phone. H.E. was not allowed to retain any of the money she made from the prostitution dates.

9. H.E. advised she was able to escape from DEVIN SMITH and Derwin Smith on October 29, 2013 after she “snuck out” of the motel when a client did not show up.

10. Law enforcement interviewed Derwin Smith, who admitted that he was aware that his brother, DEVIN SMITH, was prostituting H.E.

11. A search was executed on the van where DEVIN SMITH and Derwin Smith were located. An Apple Ipad was recovered from the van and was found to contain pictures of women posing in what appeared to be images for prostitution advertisements. A pair of women’s boots was also recovered from the van. The boots were consistent with the description provided by H.E. of her shoes.

**March 13, 2014, Southfield Police Department**

12. On March 13, 2014, Deshawn Harvey made a 911 call to report that a woman (hereinafter, “B.W.”) had been taken from his hotel room at the Marvin’s Gardens at gun point. Officers responded, and Harvey stated that he had been in the room with B.W., when there was a knock on the door. B.W. answered the door, and an unknown male pulled out a gun and made B.W. go with him. Harvey described the man as a large black male with dreadlocks and a big gray gun. B.W. was wearing only underwear when she was taken from the room by the unknown male.

**April 6, 2014, Southfield Police Department**

13. On April 6, 2014, a female (hereinafter "A.S.") flagged down a Southfield Police Department squad car at the Marvin's Garden Inn in Southfield, Michigan. A.S. told officers that she was afraid to talk where she could be seen, so the officers asked her to get in the car, which she did. Officers drove the car to another part of the parking lot and spoke with A.S.

14. A.S. told officers that she was staying in room 173 of the Marvin's Gardens hotel and working as a prostitute. A.S. stated that she was afraid of her pimp, who she knew as "D." A.S. stated that "D" was at a room in the Red Roof Inn, which is directly next to the Marvin's Garden Inn. A.S. described "D" as a black male with a heavy build wearing his hair in dreadlocks.

15. A.S. stated that "D" works prostitutes out of the Red Roof Inn and Marvin's Gardens Inn. She identified B.W. as another woman who worked for "D," and stated that she had observed "D" beat B.W. with his fists.

16. A.S. stated that she had worked for "D" for the past 4 days, and that he had picked her up in Jackson, Michigan. She stated that "D" takes all of her earnings, and that on the morning of April 6, 2014, he took \$500 from her. SMITH told A.S. that another male posted her prostitution advertisements on the internet and A.S. would begin receiving phone calls from customers. SMITH provided A.S. with a bra and panties to use for the prostitution dates. Prostitution customers who contacted A.S. on her cellular phone told A.S. that she was advertised on the

website, Backpage.com, and that the photographs in the advertisements did not look like A.S.

17. A.S. stated that "D" has an individual known to her as "Mikey" run errands for him. On April 5, 2014, A.S. observed "D" use a stun gun on "Mikey" approximately 20 times while "Mikey" covered his face and screamed and cried. A.S. stated that "D" shocked M.P. with the stun gun because M.P. went to a drug dealer's room in the motel and M.P. kept walking in on A.S. while she was conducting prostitution dates. A.S. believed that "Mikey" was either mildly mentally impaired or mentally ill.

18. A.S. stated that "D" supplies her and "Mikey" with crack cocaine, to which they are both addicted.

19. Officers with the Southfield Police Department located DEVIN SMITH in the rear parking lot of the Red Roof Inn. SMITH is a heavy set black male with dreadlocks. When confronted by officers, SMITH initially stated that his name was Derwin Smith, and then later stated that his name was Deone Smith, before finally providing the correct name of DEVIN SMITH. SMITH was arrested for Pandering and Obstruction charges.

20. A picture of DEVIN SMITH was shown to A.S., and she positively identified SMITH as "D." A.S. was too fearful of SMITH to go with officers and drive by SMITH to identify him in person.

21. Upon conducting a search of SMITH incident to arrest, officers found a Michigan driver's license for witness M.P. ("Mikey") in the pants pocket of SMITH, as well as approximately \$2,299 in cash. Affiant knows from training and experience that pimps frequently carry large amounts of cash on their person that they collect from the prostitutes who work for them. Two hotel card keys for the Red Roof Inn and 2 hotel receipts in female names were also found in SMITH's pockets. The hotel key cards were determined to belong to rooms 203 and 205 at the Red Roof Inn.

22. During the arrest of SMITH, witness C.K. appeared on the balcony of room 205 overlooking the parking lot. SMITH called out instructions to C.K., directing her to call certain individuals. Law enforcement went to room 205 to interview C.K. C.K. advised law enforcement that she came to Detroit, Michigan, with SMITH and was aware that SMITH had women who worked as prostitutes for him. C.K. stated that SMITH "feeds" them drugs and makes them do what he wants them to do. C.K. stated that SMITH makes the male who works for him, M.P., turn over his Supplemental Security Income (SSI) checks to SMITH, and assaults M.P. when M.P. "does things wrong."

23. Officers went to room 203 and located victim B.W. B.W. was interviewed and told officers that she works as a prostitute and gives all of the prostitution proceeds to SMITH. B.W. stated that SMITH has "smacked" her



around. A few weeks prior, B.W. went with a male to a room at Marvin's Garden Inn, and in the early morning, SMITH came into the room, grabbed her by the arm, and took her to another motel.

24. M.P. ("Mikey") was located by officers in room 173 of the Red Roof Inn. M.P. was interviewed by officers. M.P. stated that he is addicted to crack cocaine and does errands for SMITH. SMITH sometimes pays M.P. with crack. SMITH has frequently shocked M.P. with a stun gun when has done something incorrectly for SMITH; and SMITH has told M.P. that this is better than hitting M.P. M.P. advised that SMITH did shock him with the stun gun the previous evening. Officers observed multiple red marks on M.P.'s arm, consistent with injuries from a taser gun.

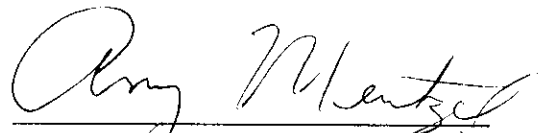
25. A.S. told officers that SMITH drives a red SUV-type vehicle, and drove her to the hotel in that car. When SMITH was arrested, he was in the parking lot walking towards a red Chevy Captiva, consistent with the description provided by A.S. The car was a rental car, and it was impounded pursuant to SMITH's arrest. During an inventory search of the car, a taser gun was recovered in the center console. A wallet belonging to witness M.P., a wallet belonging to witness C.K., and credit cards belonging to victim B.W. and SMITH were also found in the vehicle.

#### IV. FEDERAL JURISDICTION

26. Your Affiant, based on training and experience, knows that use of a computer to place prostitution advertisements on the internet crosses state lines. The computer servers for backpage.com are not maintained within in the State of Michigan.

#### V. CONCLUSION

27. Based on the aforementioned factual information, your Affiant respectfully submits that there is probable cause to believe that SMITH has engaged in sex trafficking by force, fraud, or coercion in violation of 18 U.S.C. § 1591.

  
Amy Mentzel, Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before on this 8th day  
of April 2014.

  
MONA K. MAJZOUB *Steven Whalen*  
UNITED STATES MAGISTRATE JUDGE